

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, OCTOBER 14, 2002  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Mayor Murphy at 2:11 p.m.

Mayor Murphy introduced and welcomed the Honorable Ehud Olmert, Mayor of Jerusalem to San Diego and to the City Council. Mayor Murphy stated that he had the privilege of meeting Mayor Olmert this past January in San Diego, as did Council Member Brian Maienschein. Mayor Murphy announced that Ehud Olmert joined Council today along with Senior Pastor Leo Giovinetti of the Mission Valley Christian Fellowship, which is working with the New Jerusalem Foundation to raise money to aid the families and victims of terrorism in Jerusalem. Lastly, Mayor Murphy stated that our City Attorney, Casey Gwinn, has been instrumental in bringing the Mayor to Council today for this recognition. City Attorney Casey Gwinn stated that he was pleased to present today a Resolution from the City Council recognizing their visit and pledging the City's support of their efforts to help the victims of terrorism in Jerusalem.

The meeting was recessed by Mayor Murphy at 3:41 p.m. for the purpose of a break. The meeting was reconvened by Mayor Murphy at 3:50 p.m. with all Council Members present. Mayor Murphy adjourned the meeting at 5:18 p.m. to the next regularly scheduled meeting on Tuesday, October 15, 2002.

**ATTENDANCE DURING THE MEETING:**

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present

(5) Council Member Maienschein-present

(6) Council Member Frye-present

(7) Council Member Madaffer-present

(8) Council Member Inzunza-present

Clerk-Abdelnour (jp)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Murphy-present

(1) Council Member Peters-present

(2) Council Member Wear-present

(3) Council Member Atkins-present

(4) Council Member Stevens-present

(5) Council Member Maienschein-present

(6) Council Member Frye-present

(7) Council Member Madaffer-present

(8) Council Member Inzunza-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Allisyn Thomas of St. Paul's Cathedral.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City Attorney Casey Gwinn.

FILE LOCATION: MINUTES

ITEM-30: Evelyn V. Jackson Day.

**DEPUTY MAYOR STEVENS' RECOMMENDATION:**

Adopt the following resolution:

(R-2003-398) ADOPTED AS RESOLUTION R-297167

Commending Ms. Evelyn V. Jackson for her achievements and dedication  
throughout the community;

Proclaiming October 14, 2002 to be "Ms. Evelyn V. Jackson Day" in the City of  
San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A230-307.)

MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote:  
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea,  
Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-31: National Water Monitoring Day.

**COUNCILMEMBER FRYE'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-515) ADOPTED AS RESOLUTION R-297168

Encouraging the citizens of San Diego and all levels of government to make clean water a priority in their decisions, to recommit to achieving the goals set forth in the Clean Water Act;

Proclaiming October 18, 2002 to be "National Water Monitoring Day" in the City of San Diego.

FILE LOCATION:                      AGENDA

COUNCIL ACTION:                      (Tape location: A307-448.)

MOTION BY FRYE TO ADOPT. Second by Stevens. Passed by the following vote:  
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea,  
Inzunza-yea, Mayor Murphy-yea.

ITEM-32:    Approval of Council Minutes.

**TODAY'S ACTION IS:        APPROVED AS AMENDED**

Approval of Council Minutes for the meetings of:

09/02/2002 Adjourned  
09/03/2002  
09/09/2002  
09/10/2002  
09/16/2002  
09/17/2002  
09/23/2002  
09/24/2002  
09/30/2002 Adjourned  
10/01/2002 Adjourned

FILE LOCATION:                      MINUTES

COUNCIL ACTION:                      (Tape location: A451-460.)

MOTION BY MADAFFER TO APPROVE THIS ITEM AS AMENDED TO REFLECT IN THE MINUTES THAT HE WAS PRESENT FOR ITEM 150 OF TUESDAY, SEPTEMBER 24, 2002 AND VOTED YEA ON THAT ITEM. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-50: Office Space Lease Amendment - Executive Complex - 6th Floor.

(Centre City Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2003-45) INTRODUCED, TO BE ADOPTED ON MONDAY,  
OCTOBER 28, 2002

Introduction of an Ordinance authorizing the City Manager to execute a Fifth Amendment to Lease Agreement with Executive One Associates for the lease of an expansion area of approximately 10,489 square feet, at a monthly rental rate of \$14,999.27, for a term commencing on or before or about December 1, 2002 and terminating on March 31, 2004, approximately 12 years;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$135,622.77 from Facilities Fund No. 10250, Dept. 541, for rent from the FY 2003 budget. The monthly rent will increase by approximately 1.5% per year through the term of the Master Lease.

**NOTE:** 6 votes required pursuant to Section 99 of the City Charter.

**CITY MANAGER SUPPORTING INFORMATION:**

Facilities Financing and the Planning Department are currently sharing space on the 4th floor of the City Administration Building. Their staff have grown beyond current capacity. Available space was found on the 6th floor of the Executive Complex building that will meet the space needs of Facilities Financing. The City is proposing to lease the space under the following basic lease terms:



TERM - Approximately 12 years. The target date for occupancy is December 1, 2002, expiring on March 31, 2014, the expiration date of the Master Lease.

RENT - \$1.43 per square foot or \$14,999.27 per month. Rent is below market as compared to similar buildings in the downtown core.

USE - General office usage.

SIZE - Approximately 10,489 square feet.

TENANT IMPROVEMENTS - Landlord will install the tenant improvements in the space at landlord's sole cost and expense. The estimated cost is \$262,225 City will pay \$29,998.54 in T.I. coverages beyond the estimated cost provided one year ago due to code requirements. No further T.I. costs will be paid by the City.

**FISCAL IMPACT:**

\$135,622.77 will be paid from Facilities Financing Fund 10250, Dept. 541 from the FY 2003 Budget. Future Fiscal Impacts: The monthly rent increases by approximately 1.5% per year throughout the lease term.

Herring/Griffith/DLM

Aud. Cert. 2300344.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO INTRODUCE. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-100: Two actions related to Reimbursement Agreement to Design and Construct Del Mar Mesa Road, Camino Santa Fe Road, and 30-inch Water Transmission Line.

(Del Mar Mesa Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2003-428) ADOPTED AS RESOLUTION R-297169

Authorizing the City Manager to execute a reimbursement agreement with Mesa Verde-Del Mar, LP for the design and construction of a portion of Del Mar Mesa Road (CIP-52-712.0), a portion of Camino Santa Fe Road (CIP-52-453.0), and a portion of a 30-inch Water Transmission Pipeline (CIP-70-964.0) included the Del Mar Mesa Public Facilities Financing Plan;

Authorizing the City Auditor and Comptroller to expend \$5,960,022 from CIP-52-712.0, Fund 79010, to complete the construction of Del Mar Mesa Road; \$1,000,000 from CIP-52-453.0, Fund 79010 to construct Phase I of Camino Santa Fe Road; and \$735,000 from CIP-70-964.0, Fund 79010, to construct 1,550 lineal feet of 30-inch diameter water pipeline within Camino Santa Fe Road contingent on certification by the City Auditor and Comptroller that FBA for the projects are available at the time reimbursement is scheduled;

Amending Capital Improvement Program Budget by adding CIP-52-453.0, Camino Santa Fe Road-Del Mar Mesa Road to SR-56, and CIP-70-964.0, a 30-inch Water Transmission Pipeline.

Subitem-B: (R-2003-429) ADOPTED AS RESOLUTION R-297170

Declaring that the information contained in Environmental Impact Report LDR-95-0353 has been reviewed and considered by Council;

Directing the City Clerk to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego.

**CITY MANAGER SUPPORTING INFORMATION:**

Del Mar Mesa Road (Project 43-3) is a programmed CIP project in the FY2002 Del Mar Mesa Public Facilities Financing Plan (PFFP). This project calls for the construction of Del Mar Mesa Road as a two-lane, rural residential road from Carmel Country Road to Camino Santa Fe Road. The improvements include a 16-inch water transmission line and a multi-use trail. There are two approved reimbursement agreements with other developers to construct two of the three segments of Del Mar Mesa Road. These segments have been completed. Mesa Verde-Del Mar,

LP, per Tentative Map 96-0625, will construct the final segment of the road from Station 88 + 95.53 to Station 104 + 11.87 and Station 117 + 80.09 to Station 159 + 30.75.

Camino Santa Fe Road (Project 43-4) is also a programmed CIP project in the FY2002 Del Mar Mesa PFFP. This project provides for the construction of Camino Santa Fe Road from Carmel Mountain Road to SR-56, a 100 ft. bridge structure, and a multi-use trail adjacent to the roadway. Mesa Verde-Del Mar, LP will construct Phase I of this project from the northerly terminus of Carmel Mountain Road to the easterly terminus of Del Mar Mesa Road.

Lastly, Project 43-21, calls for the construction of a 30-inch Water Transmission Pipeline from Carmel Mountain Road north to Del Mar Heights Road, along the Camino Santa Fe Road right-of-way in the south, and the Carmel Valley Road right-of-way in the north. Mesa Verde-Del Mar, LP will construct 1,550 lineal feet of the pipeline from the northerly terminus of Carmel Mountain Road to the easterly terminus of Del Mar Mesa Road.

Mesa Verde-Del Mar, LP is entitled to reimbursement for its approved expenditures for the above projects from the Del Mar Mesa FBA Fund 79010 as indicated in the Del Mar Mesa PFFP and the reimbursement agreement before you today, subject to the availability of funds.

**FISCAL IMPACT:**

A total of \$7,695,022 from Facilities Benefit Assessment Fund 79010 is anticipated to be available for reimbursement for the three projects in the following schedule. These projects have been scheduled for construction/reimbursement in the Fiscal Years 2003-2006 as follows:

Del Mar Mesa Road (CIP-52-712 .0): \$3,395,095 in FY2003 and \$2,564,927 in FY2004, for a total of \$5,960,022.

Camino Santa Fe Road (CIP-52-453.0): \$20,000 in FY2004, \$738,000 in FY2005, and \$242,000 in FY2006, for a total of \$1,000,000.

30-inch Water Pipeline (CIP-70-964.0): \$351,750 in FY2003 and \$383,250 in FY2004, for a total of \$735,000.

Ewell/Goldberg/AMA

FILE LOCATION: SUBITEMS A & B: MEET

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-101: Balboa Golf Course-Road Restoration, Request For Additional Funds.

(Balboa Park Community Area. District-3.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-431)                      ADOPTED AS RESOLUTION R-297171

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$13,199.55 from Fund No. 41400, Golf Operations to CIP-21-849.0 Balboa Park Golf Course - Road Restoration, Fund No. 41401, Balboa Park Golf Course;

Authorizing the City Auditor and Comptroller to amend the Fiscal Year 2003 Capital Improvements Program budget by increase of \$13,199.55 in CIP-21-849.0, Balboa Park Golf Courses Road Restoration;

Authorizing the expenditure of an amount not to exceed \$13,199.55 from CIP-21-819.0, Balboa Park Golf Course - Road Restoration, for the purpose of increasing the construction contingency to pay for construction change order number one for the Balboa Golf Course-Road Restoration.

**CITY MANAGER SUPPORTING INFORMATION:**

This project is located in Balboa Park Golf Course. It provides for restoring approximately 6,300 ft of existing asphalt maintenance roads within the Balboa Park Golf Course. During construction additional work was requested by Golf operations to complete the project by removing fence posts under asphalt paving, repair a 2-inch waterline, removal and disposal of wet soil, lime treatment of soil, demolishing and disposal of 324 sq. ft of 10-inch thick asphalt paving, installing a 4-inch and 6-inch class 2 base, and repairing an 8-inch concrete drain pipe.

**FISCAL IMPACT:**

Funding is available from Golf Operations Fund No. 41400. By this action, those funds will be made available in Fund No. 41401, CIP-21-849.0, Balboa Park Golf Course, for this purpose. The total cost for this project is \$133,199.55

Loveland/Belock/AO

Aud. Cert. 2300339.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-102: Reprogramming of District Eight Community Development Block Grant Funds.

(Barrio Logan and Golden Hills Community Areas. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-446) ADOPTED AS RESOLUTION R-297172

Authorizing the reprogramming of Council District Eight Community Development Block Grant (CDBG) funds in the amount of \$811 (\$61 from People for Trees, \$83 from Christmas in April, \$233 from South San Diego EDC, \$434 from San Diego Urban League) from Fund 18535, \$30,896.50 (\$780 from Sherman Heights Beautification, \$25,000 from San Diego Urban League, \$562 from UPAC, \$125 from Christmas in April, \$3,622.57 from Casa Familiar, and \$806.93 from Golden Hill CDC) from Fund 18536, \$1,488.31 (San Diego MANA) from Fund 18537, and \$75,000 (Casa Familiar) from Fund 18538, for a total of \$108,195.81 to Fund 18538;

Authorizing the City Manager to execute agreements with Environmental Health Coalition for an amount not to exceed \$20,000, Golden Hill CDC for an amount not to exceed \$15,000, and San Diego Youth Leadership for an amount not to exceed \$25,000;

Authorizing the expenditure of CDBG funds in the amount of \$60,000 for the agreements, \$40,000 for the Neighborhood Code Compliance Program in Golden Hill, and \$8,195.81 for sidewalks in Council District Eight for a total amount not to exceed \$108,195.81.

**CITY MANAGER SUPPORTING INFORMATION:**

Council District Eight wishes to reprogram prior year District Eight CDBG funds from projects that have been completed and have unobligated fund balances to other high priority CDBG eligible projects.

The new activities are: 1) \$40,000 for a proactive neighborhood code compliance program in Golden Hill; 2) \$8,195.81 for a sidewalk replacement program in District Eight to benefit low and moderate income residents; 3) \$20,000 to the Environmental Health Coalition to expand the lead-base paint control pilot project in the Sherman Heights Community; 4) \$25,000 to San Diego Youth Leadership Program for community service projects; and 5) \$15,000 to the Golden Hill Community Development Corporation to establish a maintenance assessment district in the Golden Hill community.

**FISCAL IMPACT:**

Funds for this action are available in the Community Development Block Grant (CDBG) program.

Herring/Cunningham/ELL

Aud. Cert. 2300364.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-103: U.S. Fish and Wildlife Service Grant for Otay River and Los Peñasquitos Watersheds.

(North City Future Urbanizing Area (subareas 1-5), Sabre Springs, Sorrento Hills, Carmel Valley, Torrey Pines, Rancho Peñasquitos, Carmel Mountain Ranch, Mira Mesa, Rancho Bernardo, University, Scripps/Miramar Ranch, Miramar Ranch North, Otay Mesa, Otay Mesa Nestor Community Areas. Districts-1, 5, and 8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-375)                      ADOPTED AS RESOLUTION R-297173

Authorizing the City Manager, or his duly designated representative to apply to the U.S. Fish and Wildlife Service Section 6 Grant Program for grant funding for wetland delineation and functional assessments for the Otay and Peñasquitos watersheds;

Authorizing the City Manager, or his duly designated representative to take all necessary actions to secure funding from the Grant for the Project;

Authorizing the City Manager, or his duly designated representative to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments and payment requests which may be necessary for completion of the project;

Authorizing the City Manager, or his duly designated representative to accept, appropriate, and expend funds, if the Grant is secured;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing fund for the grant.

**CITY MANAGER SUPPORTING INFORMATION:**

The City of San Diego in conjunction with the City of Poway, City of Del Mar, and the County of San Diego are preparing Watershed Management Plans that will comprehensively address water quality issues within the Los Peñasquitos and Otay River watersheds. The City of San Diego received a \$200,000 grant from the State Water Resources Control Board (Resolution Number # 295483) to complete the Watershed Management Plan for the Los Peñasquitos watershed. The Watershed Management Plans will include assessments of existing resources and pollution characteristics within the watershed as well as recommendations for addressing issues affecting the watersheds.

An initial phase of developing the watershed planning documents involves conducting planning level wetland delineations and functional assessments of the watersheds to evaluate watershed resources and identify potential wetland restoration and enhancement opportunities. The planning level wetland delineation and functional assessments for the Otay River and Los Peñasquitos watersheds will be prepared in accordance with guidelines developed by the U.S.

Army Corps of Engineers to evaluate watershed resources and identify potential wetland restoration and enhancement opportunities. The results will be incorporated into a geospatial data base such as a Geographic Information System (GIS) to evaluate different management options. The results of the proposed delineation and assessment would then be included in the Watershed Management Plans currently being prepared for the Otay and Los Peñasquitos watersheds.

The current action would authorize the approval of a grant totaling \$150,000 from federal funds to conduct wetland delineation and functional assessments for the Otay River and Los Peñasquitos watersheds.

**FISCAL IMPACT:**

If approved, City would receive \$150,000 in grant funding from the U.S. Fish and Wildlife Service. No City matching funds are required to receive the grant funds.

Ewell/Goldberg/JPH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-104: Grant Application to State Department of Boating and Waterways for Hospitality Point Reception Dock - Accessibility Improvements to Ramp.

(Mission Bay Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-420) ADOPTED WITH DIRECTIONS AS RESOLUTION R-297174

Authorizing the City Manager, or designee, to apply to the California Department of Boating and Waterways for a grant from Boating Infrastructure grant funds, in the amount of \$37,500, for accessibility improvements to the Mission Bay Park, Hospitality Point Reception Dock ramp;



Authorizing the City Manager, or designee, to take all necessary actions to secure and accept grant funds from the California Department of Boating and Waterways for accessibility improvements to the Mission Bay Park, Hospitality Point Reception Dock ramp, including entering into and executing a grant funding agreement;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing fund for the grant, if secured;

Authorizing the City Auditor and Comptroller to accept, appropriate and expend funds if the grant is secured;

Authorizing the City Auditor and Comptroller, upon receipt of a fully executed grant agreement, to amend the Fiscal Year 2003 Capital Improvements Program Budget by increasing CIP-22-944.0, Mission Bay Park, Hospitality Point Reception Dock project, in the amount of \$37,500;

Certifying that the City has, or will have, sufficient funds to operate and maintain the project at no cost to the State;

Authorizing the City Auditor and Comptroller, upon receipt of a fully executed grant agreement, to appropriate and expend the grant funds in the amount of \$37,500 from CIP-22-944.0, Mission Bay Park, Hospitality Point Reception Dock project.

**CITY MANAGER SUPPORTING INFORMATION:**

In March 2000, the City of San Diego entered into a grant agreement with the State Department of Boating and Waterways for a \$95,000 grant through the Clean Vessel Act grant program. The grant will help fund the installation of a pump out station and replacement dock at the Hospitality Point Reception Dock in Mission Bay Regional Park. The Clean Vessel Act grant program funds marine pump out/dump stations throughout waters in the State of California. Mission Bay has been designated a "No Discharge Area," one of eleven such sites in the State of California. Currently, there is no public pump out facility within Mission Bay Regional Park. The pump out will provide boaters in Mission Bay with a safe, secure and legal way to dump their boat sewage.

The project has been delayed due to increased project costs and added scope of work to include disabled access to the dock, which will require the installation of a new accessible ramp from the shore to the boat dock. The Department of Boating and Waterways has \$37,500 in Boating Infrastructure grant funds available to contribute to the accessibility requirements of the project. The \$37,500 will fully fund the project.

**FISCAL IMPACT:**

Total project cost estimate is \$467,186. Funds in the amount of \$429,686 are currently allocated to CIP-22-944.0, Hospitality Point Reception Dock Upgrade, as follows: \$130,000 in Fund 38098 State Department of Boating & Waterways grant; \$11,686 in Fund 102244 Transient Occupancy Tax; \$12,000 in Fund 100 Fire and Life Safety Services operating budget; \$10,000 in Fund 10001 Park and Recreation Department Allocated Reserve funds; \$141,000 in Fund 630221 Park & Recreation Department Grant Match funds; and \$125,000 in fund 10507 Sludge Mitigation Funds. This action will add \$37,500 in State Boating & Waterways grant funds to fully fund the project.

Herring/Oppenheim/CH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D060-169.)

MOTION BY FRYE TO ADOPT THIS ITEM AND TO DIRECT THE CITY MANAGER TO APPLY FOR THE GRANT AND THAT DISCUSSIONS BE HELD IN THE COMMITTEES OF MS. WALKER AND MR. NEUDECK'S CHOICE REGARDING ADA CONCERNS AND ISSUES. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-105: Vacation of a Landscaping Easement in Lots "D" and "E" of Map-13717.

(Carmel Valley Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-402) ADOPTED AS RESOLUTION R-297175

Vacating the landscaping easement located in Lots "D" and "E" of Map-13717 to unencumber this property, under the procedure for the summary vacation of public service easements, Section 8330 et seq. of the California Streets and Highways Code.

**CITY MANAGER SUPPORTING INFORMATION:**

City Council action is requested to vacate landscaping easements in Lots "D" and "E" of Map-13717. This property is located in the Carmel Valley Planning area within Council District 1. The Homeowners Association requested the vacation of the landscaping easements because the easements are in the side yard of private lots. The individual homeowners wish to maintain and landscape the easement areas. No rights are granted to the public by the easement, and the abandonment will relieve the City of the responsibility to maintain the easement areas. The City's Landscape Maintenance District Staff recommend the vacation of these easements. These easements were acquired at no cost to the City. City staff recommends approval of the easement abandonment.

**FISCAL IMPACT:**

None. All costs have been paid by the applicant.

Ewell/Broughton/AEA

FILE LOCATION: Deed F-9330

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-106: Vacation of a Landscaping Easement in Lot "A" of Map-14132 and Lot "C" of Map-13554.

(Carmel Valley Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-403) ADOPTED AS RESOLUTION R-297176

Vacating the landscaping easement located in Lot "A" of Map-14132 and Lot "C" of Map-13554, under the procedure for the summary vacation of public service easements, Section 8330 et seq. of the California Streets and Highways Code.

**CITY MANAGER SUPPORTING INFORMATION:**

City Council action is requested to vacate a landscaping easement in Lot "A" of Map-14132 and Lot "C" of Map-13554. This property is located in the Carmel Valley Planning area within Council District 1. The Homeowners Association requested the vacation of the landscaping easements because the easements are in the side yard of private lots. The individual homeowners wish to maintain and landscape the easement areas. No rights are granted to the public by the easement, and the abandonment will relieve the City of the responsibility to maintain the easement areas. The City's Landscape Maintenance District Staff recommend the vacation of these easements. These easements were acquired at no cost to the City. City Staff recommends approval of the easement abandonment.

**FISCAL IMPACT:**

None, all costs have been paid by the applicant.

Ewell/Broughton/AEA

FILE LOCATION: Deed F-9331

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-107: Vacation of a Water Facility Easement in Lot 33 of Map-14299.

(Carmel Valley Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-404) ADOPTED AS RESOLUTION R-297177

Vacating the water easement located in Lot 33 of Map-14299, under the procedure for the summary vacation of public service easements, Section 8330 et seq. of the California Streets and Highways Code.

**CITY MANAGER SUPPORTING INFORMATION:**

City Council action is requested to vacate a water facility easement in Lot 33 of Map-14299. This property is located in the Carmel Valley Planning area within Council District 1. This easement is on private property and its only purpose is to allow the City to construct and maintain water facilities within the easement. All of the facilities that were within the easement have been removed. There is no present or future need for this easement. The applicant plans to landscape and maintain the easement area to enhance his property. The Water Section of the Development Services Department has reviewed the vacation request and recommends approval of the vacation. No rights are granted to the public by the easement and, the abandonment of this easement will relieve the City of the responsibility to maintain the easement area. This easement was acquired at no cost to the City.

City staff recommends approval of the easement abandonment.

**FISCAL IMPACT:**

None, all costs have been paid by the applicant.

Ewell/Broughton/AEA

FILE LOCATION: Deed F-9332

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-108: November 2002 State Ballot Propositions 46, 47 and 49.

(See memorandum from Andrew Poat dated 9/25/2002.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2003-442) ADOPTED AS RESOLUTION R-297178

Approving the Government Relations Department's recommendations regarding State Propositions 46, 47, and 49 on the November 2002 ballot.

**RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S  
RECOMMENDATION:**

On 9/25/2002, RULES voted 3 to 0. (Councilmembers Stevens, Madaffer and Mayor Murphy voted yea. Councilmembers Wear and Atkins not present.)

- A. Approve the City Manager's recommendation to support Proposition 46;
- B. Approve the City Manager's recommendation to support Proposition 47;
- C. Approve the City Manager's recommendation to support Proposition 49;
- D. Continue discussion of Propositions 50 and 51 to the next Rules Committee meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-109: San Diego Naval Heritage Day.

**COUNCILMEMBER WEAR'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-426) ADOPTED AS RESOLUTION R-297179

Proclaiming October 7, 2002 as "San Diego Naval Heritage Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-110: AIDS Walk San Diego Day.

**COUNCILMEMBER ATKINS' RECOMMENDATION:**

Adopt the following resolution:

(R-2003-383) ADOPTED AS RESOLUTION R-297180

Commending the staff, board members, volunteers, sponsors and participants of AIDS Walk San Diego for their outstanding service, leadership, commitment and generosity to those living with HIV/AIDS, and encouraging all San Diegans to participate in AIDS Walk San Diego by volunteering, walking, running, or making a donation.

Proclaiming October 6, 2002 to be "AIDS Walk San Diego Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-111: Bob Wells Day.

**COUNCILMEMBER MAIENSCHIN'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-417) ADOPTED AS RESOLUTION R-297181

Recognizing October 5, 2002 as "Bob Wells Day" for his outstanding service, commitment and significant contributions to the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-150: Recommendation #1 Made by the Mayor's Blue Ribbon Committee on Budget and Finance Regarding Adequate Reserve Level for the City.

(See memorandum from Mayor Murphy dated 9/24/2002 and City Manager Reports CMR-02-228 and CMR-02-212.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2003-447)                      ADOPTED AS RESOLUTION R-297182

Approving the recommendations contained in City Manager Report CMR-02-212, dated September 19, 2002, regarding Recommendation #1 made by the Mayor's Blue Ribbon Committee on Budget and Finance ("Evaluate and determine what an adequate reserve level is for the City"), with the changes proposed in Mayor Murphy's September 24, 2002 memorandum;

Establishing Council Policy regarding General Fund Reserve Level;

Instructing the City Clerk to add the policy to the Council Policy Manual.

**RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:**

On 9/25/2002, RULES vote 4 to 0 to approve the City Manager's recommendations with the changes proposed in Mayor Murphy's September 24, 2002 memorandum. (Councilmembers Atkins, Stevens, Madaffer and Mayor Murphy voted yea. Councilmember Wear not present.)

FILE LOCATION:                      MEET

COUNCIL ACTION:                      (Tape location: C176-D055.)

MOTION BY MADAFFER TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.



ITEM-151: Two actions related to Inviting Bids and Award Amendment #1 for Telemetry Control System (SCADA) - Phase II (Contract #6).

(See memorandum from Frank Belock, Jr., dated 7/23/2002.)

**TODAY'S ACTIONS ARE:**

Adopt the following resolutions:

Subitem-A: (R-2003-241)                      ADOPTED AS RESOLUTION R-297183

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Telemetry Control Systems - SCADA - Phase II (Contract #6) on Work Order No. 187146;

Authorizing the expenditure, not to exceed \$743,423, from Water Fund 41500, CIP-73-348.0. Telemetry Control Systems - SCADA - Phase II, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Manager to execute a contract with the lowest responsible and reliable bidder for the Project, provided that City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for such expenditure are, or will be, with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K03010C)

Subitem-B: (R-2003-242)                      ADOPTED AS RESOLUTION R-297184

Authorizing the City Manager to execute the First Amendment to the Agreement with EMA, Inc., for engineering consultant services for Telemetry Control Systems - SCADA - Phase II, in an amount not to exceed \$894,004;

Authorizing the expenditure, not to exceed \$894,004 from Water Fund 41500, CIP-73-348.0, Telemetry Control Systems - SCADA - Phase II;  
Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 7/31/2002, NR&C voted 4 to 0 to approve. (Councilmembers Wear, Frye, Madaffer and Inzunza voted yea. Councilmember Peters not present.)

**CITY MANAGER SUPPORTING INFORMATION:**

This is Phase II of a two phase program to install a modern Supervisory Control and Data Acquisition (SCADA) system. The SCADA system will monitor and control all critical water distribution sites. Phase I included the central control and operations components as well as Remote Control Panels (RCPs) at 42 of the water distribution sites. Due to additional work that has been identified, Phase II has been divided into four (4) parts, Phase IIa, IIb, IIc, and IId. Phase IIa includes the installation of RCPs to control 60 additional water distribution sites. Phase IIb includes remediation work at 36 existing sites. Phase IIc includes installation of RCPs at 29 large meter sites, and Phase IId includes installation of RCPs at 62 sites, an operating efficiency assessment, a communication network upgrade, and Intranet functionality for data access. This Council action funds the installation of RCPs for Phase IId and Amendment #1 with EMA, Inc., the existing SCADA consultant, to provide continued data systems integration, and construction services for the completion of the project.

**FISCAL IMPACT:**

The total estimated cost of Phase II is \$11,763,545. The estimated cost of this contract and amendment is \$1,637,427; of which \$1,637,427 is available in Water Fund 41500, CIP-73-348.0, Telemetry Control Systems -SCADA -Phase II.

Loveland/Belock/HR

Aud. Cert. 2300234.

WWF-03-621.

**FILE LOCATION:** SUBITEM A: W.O. 187146  
SUBITEM B: MEET

**COUNCIL ACTION:** (Tape location: E066-067.)

MOTION BY WEAR TO ADOPT. Second by Frye. Passed by the following vote:  
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea,  
Inzunza-yea, Mayor Murphy-yea.

ITEM-200: Two actions related to Reimbursement Agreement for Construction of Undercrossing Beneath La Jolla Village Drive in North University City.

(University City Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2003-344)                      ADOPTED AS RESOLUTION R-297185

Authorizing the City Manager to execute a reimbursement agreement with Makallon La Jolla Properties, LLC for the right-of-way acquisition, design and construction of an Undercrossing beneath La Jolla Village Drive in North University City (Project NUC-33 in the North University City Public Facilities Financing Plan);

Authorizing the City Auditor and Comptroller to expend \$7,469,000 from CIP-52-678.0, FBA Fund 79001, for right-of-way acquisition, design and construction of the Undercrossing, upon certification by the City Auditor and Comptroller that FBA revenues are available at the time reimbursement is scheduled.

Subitem-B: (R-2003-374)                      ADOPTED AS RESOLUTION R-297186

Declaring that the information contained in the final document, Environmental Impact Report LDR-99-0647, including any comments received during the public review process, has been reviewed and considered by this Council, and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guideline Section 15162 would warrant any additional environmental review in connection with approval of the Project;

Directing the City Clerk to file a Notice of Determination [NOD] with the Clerk of Supervisors for the County of San Diego regarding the project.

**CITY MANAGER SUPPORTING INFORMATION:**

The right of way acquisition, design and construction of the Undercrossing beneath La Jolla Village Drive is a portion of a programmed CIP project (NUC-33) in the FY 2003 North University City Public Facilities Financing Plan. This project also provides for constructing Judicial Drive from Golden Haven Drive to Eastgate Mall as a four-lane major street, in addition to constructing the Undercrossing beneath La Jolla Village Drive. The North University City

Facilities Benefit Assessment (FBA) will provide the funding for the Undercrossing only. The construction of Judicial Drive is a subdivider requirement to be met by Makallon La Jolla Properties, LLC, and two additional developers.

Makallon La Jolla Properties, LLC, is actively engaged in the development of La Jolla Commons, a development project located in North University City. The City Council approved the vesting map for this project on November 14, 2000 (VTM No. 99-0762) by Resolution R-294149. Makallon La Jolla Properties, LLC, has commenced with the initial planning and design of the Undercrossing, and is willing to construct the Undercrossing and accept payment from the FBA Fund, as defined in the Financing Plan, as compensation for its expenditures for the approved costs of such construction and improvements.

This project is scheduled for construction/reimbursement in Fiscal Years 2003 and 2004, and incorporated into the current North University City Public Facilities Financing Plan and Facilities Benefit Assessment, Project NUC-33, and CIP-52-678.0. Makallon La Jolla Properties, LLC, is therefore entitled to reimbursement from the Facilities Benefit Assessment as defined in the North University City Public Facilities Financing Plan (PFFP), subject to the availability of funds. This reimbursement agreement provides the parameters for the FBA reimbursement to Makallon La Jolla Properties, LLC.

**FISCAL IMPACT:**

An amount of \$6,469,000 is currently programmed and available in Facilities Benefit Assessment Fund No. 79001 for this project. An additional \$1,000,000 is programmed in FY 2004 for this project.

Ewell/Goldberg/JC

Aud. Cert. 2300338.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: C146-175.)

MOTION BY PETERS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-nay, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-250: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement

Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

Sorrento Hills Corporate Center  
Phase I Unit I

COMMUNITY AREA

Sorrento Hills

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director or Planning and Development Review or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

ITEM-251: **Notice** of Pending Final Map Approval - Duck Pond Ranch.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled "Duck Pond Ranch," a copy of which is available for public viewing at the office of the San Diego City Clerk. Said project is located in the Del Mar Mesa Community Plan Area, southeasterly of Del Mar Mesa Road and Del Vino Court in Council District 1. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information

about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

\* ITEM-S400: Energy Efficiency and Renewable Energy Week.

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-489) ADOPTED AS RESOLUTION R-297187

Encouraging businesses, organizations and residents to join the City of San Diego in reducing greenhouse gas emissions;

Proclaiming October 14 through 20, 2002 to be "Energy Efficiency and Renewable Energy Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-S401: Peace for Jerusalem Day.

**CITY ATTORNEY CASEY GWINN AND MAYOR DICK MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-488) ADOPTED AS RESOLUTION R-297188

Proclaiming October 14, 2002 to be "Peace for Jerusalem Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A050-225.)

MOTION BY MAIENSCHIN TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-S402: Domestic Violence Awareness Month.

**COUNCILMEMBER ATKINS' RECOMMENDATION:**

Adopt the following resolution:

(R-2003-487)                      CONTINUED TO MONDAY, OCTOBER 21, 2002

Recognizing the effect that domestic violence has on the men, women, and children of San Diego across the nation and supporting and encouraging efforts to stop domestic violence in San Diego;

Recognizing the need to eradicate domestic violence in San Diego in order to improve the lives of all San Diegans, and proclaiming October 2002 to be "Domestic Violence Awareness Month" in the City of San Diego.

FILE LOCATION:                      NONE

COUNCIL ACTION:                      (Tape location: A460-461.)

MOTION BY ATKINS TO CONTINUE THIS ITEM TO MONDAY, OCTOBER 21, 2002 TO ALLOW THOSE INDIVIDUALS FROM THE PUBLIC THAT WISHED TO BE IN ATTENDANCE. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-S403: Appointments and Reappointments to the Senior Affairs Advisory Board.

(See memorandum from Mayor Murphy dated October 3, 2002 with resumes attached.)

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-511)                      ADOPTED AS RESOLUTION R-297189

Council confirmation of the following appointments and reappointments by the Mayor to the Senior Affairs Advisory Board, for terms ending May 31, 2004, representing the Senior Services-Professional category:

Reappointments

Laura J. Impastato  
Pamela B. Smith  
Flora L. Calem

Appointments

Sam Duran (replacing Dennis L. Mesnick, whose term has expired)  
Joseph M. Horiye (replacing Robert B. Morris, whose term has expired)  
Paulina Gilbert (replacing Thomas F. Larwin, whose term has expired)

FILE LOCATION:                      MEET

COUNCIL ACTION:                      (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT THE RESOLUTION, APPROVING THE APPOINTMENTS AND REAPPOINTMENTS. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-S404: Alex Szekely Day.

**COUNCILMEMBER PETERS' RECOMMENDATION:**

Adopt the following resolution:

(R-2003-531)                      TRAILED TO TUESDAY, OCTOBER 15, 2002

Proclaiming October 14, 2002 to be "Alex Szekely Day" in the City of San Diego in recognition of his commitment to his community and his important role in improving the lives of all San Diegans.



FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO TRAIL THIS ITEM TO TUESDAY, OCTOBER 15, 2002. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-S405: San Diego LGBT Latin Pride Day.

**COUNCILMEMBER ATKINS' RECOMMENDATION:**

Adopt the following resolution:

(R-2003-512) ADOPTED AS RESOLUTION R-297190

Commending San Diego LGBT Latin community and the broader LGBT and Latin communities, and congratulating them on their second annual Latin Pride Festival;

Proclaiming October 12, 2002 to be "San Diego LGBT Latin Pride Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-nay, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

\* ITEM-S406: National White Cane Safety Day.

**DEPUTY MAYOR STEVENS' RECOMMENDATION:**

Adopt the following resolution:

(R-2003-517) ADOPTED AS RESOLUTION R-297191

Commending the many achievements of blind and visually impaired citizens and recognizing the white cane's significance in society today;

Proclaiming October 15, 2002 to be "National White Cane Safety Day" in the City of San Diego.

FILE LOCATION:                      AGENDA

COUNCIL ACTION:                      (Tape location: A461-592.)

CONSENT MOTION BY INZUNZA TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-S407: La Jolla Cove Stairs Replacement - Readvertisement.

(La Jolla Community Area. District-1.)

(Continued from the meeting of 10/7/2002, Item 102, at the request of Councilmember Peters for a report from staff on feasibility of installing an elevator at the Lifeguard Station.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-253) ADOPTED WITH DIRECTION AS RESOLUTION R-297192

Rejecting all bids received on September 6, 2001, pursuant to publication of notice calling for bids on La Jolla Cove Stairs Rehabilitation;

Approving the amended plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for La Jolla Cove Stairs Rehabilitation on Work Order No. 294620;

Authorizing the City Manager to execute a contract with the lowest responsible and reliable bidder;

Authorizing the expenditure of an amount not to exceed \$149,680 from CIP-29-462.0, La Jolla Cove Stairs Replacement (\$120,000 from CIP-20-013.0 and \$29,680 from Fund 11500);

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K02013A)

**CITY MANAGER SUPPORTING INFORMATION:**

The La Jolla Cove Stairs Replacement project will rehabilitate the two concrete stairways leading from Ellen Browning Scripps Park to the beach at La Jolla Cove. Steps that are wood will be replaced with concrete and damaged concrete will be repaired so that the stairways will return to their original appearance. Stainless steel handrails will be installed.

The project was originally funded at \$200,000, \$80,000 from FY99 T.O.T. Coastal Infrastructure and Facilities Fund and \$120,000 from a Coastal Conservancy Grant. The project was advertised, but on the September 6, 2001 opening date, only one bid was received. At \$276,684 it far exceeded the engineer 's estimate and total project budget.

Subsequently, the engineer's estimate has been updated, and the bid package has been restructured from lump sum to unit price to encourage bidding by both prime and subcontractors. In addition, the FY03 budget increased the project budget by \$120,000 from Park and Recreation Grant Match CIP and \$29,680 from Park Service District Fund, for a total project appropriation of \$349,680. It is believed that readvertising will result in attracting more contractors to bid the project and obtaining lower bids than the first time.

**FISCAL IMPACT:**

The project budget is now \$349,680, including design, construction, inspection and contingency. Previous actions approved \$200,000, and this request will provide authorization to expend the remaining \$149,680. \$120,000 has been identified in Fund 630221, CIP-20-013.0 and \$29,680 has been identified in Fund 11500.

Loveland/Belock/PB

Aud. Cert. 2200970.

FILE LOCATION: W. O. 294620

COUNCIL ACTION: (Tape location: D175-E055.)

MOTION BY PETERS TO ADOPT THIS ITEM WITH DIRECTION TO THE CITY MANAGER TO DIRECT STAFF TO CONTINUE TO EXPLORE THE FEASIBILITY OF INCORPORATING ACCESSABILITY OPTIONS SUCH AS AN ELEVATOR IN THE DESIGN OF THE LIFEGUARD STATION AT LA JOLLA COVE. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-nay, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-S408: Proposed Lease Agreement with the Friends of Torrey Pines, LLC for the Use of Torrey Pines Golf Course for the 2008 U.S. Open.

(See City Manager Report CMR-02-229. Torrey Pines Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-523)                      ADOPTED AS RESOLUTION R-297193

Authorizing the City Manager to execute a Lease Agreement with Friends of Torrey Pines, LLC, for the use of Torrey Pines Golf Course for the 2008 U.S. Open and to operate and organize the 2008 U.S. Open Championship.

FILE LOCATION:                      LEAS-Friends of Torrey Pines, LLC

COUNCIL ACTION:                      (Tape location: B001-C120.)

MOTION BY PETERS TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

NON-DOCKET ITEMS:

NONE.

**ADJOURNMENT:**

The meeting was adjourned by Mayor Murphy at 5:18 p.m. in honor of the memory of:

Richard A. Tuthill as requested by Council Member Madaffer and Mayor  
Murphy; John “Scotty” Thomson as requested by Council Member Maienschein;  
and Kay B. Carter as requested by Council Member Wear.

FILE LOCATION:                      AGENDA

COUNCIL ACTION:                      (Tape location: E159-176.)